

REMARKS

In the present Amendment, claim 21 has been amended to recite that the interior part of the belts in a cross section taken in the cross-direction has a substantially uniform thickness, the substantially uniform thickness continuously decreasing from the interior part to each of the edge parts in the cross section and the stiffness of the belts continuously decreasing from the interior part to each of the edge parts in the cross section. New claims 31-33 have been added. The amendment to claim 21 and new claims 31-33 are supported by the specification, for example, page 7, lines 1-8 and Fig. 2. Claims 1-3 were previously canceled. No new matter has been added.

Upon entry of the Amendment, claims 4-33 will be all the claims pending in the application.

It is noted that claims 4-20 and 26-30 have been allowed.

I. Drawings

The Office Action summary is silent regarding the drawings (3 sheets) filed with the application on April 17, 2000. The Examiner is respectfully requested to acknowledge acceptance of the drawings in the next official communication.

II. Form PTO-1449

Applicants filed a fourth Information Disclosure Statement on June 21, 2007 along with a Form PTO-1449. The Examiner is respectfully requested to initial and date the Form and return a signed copy to Applicants in the next official communication.

III. Response to Rejections under 35 U.S.C. § 103(a)

Claims 21-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over New et al., H1440, in view of U.S. Patent No. 5,706,524 to Herrin et al. Applicants respectfully

submit that the claims as amended are patentable over New in view of Heerin for at least the following reasons.

Independent claim 21 relates to a garment and recites, among others, that the interior part of the belts in a cross section taken in the cross-direction has a substantially uniform thickness, the substantially uniform thickness continuously decreasing from the interior part to each of the edge parts in the cross section and the stiffness of the belts continuously decreasing from the interior part to each of the edge parts in the cross section.

New is cited as disclosing a garment comprising an absorbent part 14 and two separate waist belts 12, wherein the belts 12 extend in the longitudinal direction, have one end permanently fastened to the absorbent part, and the opposite ends of the belts are adapted to be fastened together around the waist of a wearer. New further describes that the belt is arcuate so that one laterally extending edge of the belt is longer than the other laterally extending edge of the belt.

Herrin discloses a disposable undergarment waistband 30 including a first elongate layer of non-woven material 31, a second elongate layer of non-woven material 32, a plurality of elongate elastic strips 33 between the upper surface of the first non-woven layer and the lower surface of the second elongate layer, and a plurality of gathers formed in the first and second non-woven layers (Abstract; Figs. 5 and 7).

Neither New nor Herrin discloses a belt having an interior part, which uniform thickness and stiffness in a cross section taken in the cross-direction continuously decrease from the interior part to each of the edge parts in the cross section. As such, even if New and Herrin are combined, the combination still would not result in the subject matter of claim 21.

In view of the foregoing, Applicants respectfully submit that claim 21 and dependent claims 22-25 are patentable over New in view of Herrin, and thus the rejection should be withdrawn.

IV. New Claims

Newly added claims 31-33 depend from claim 21 and thus are patentable over the cited references at least for the reasons set forth above.

V. Conclusion

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at his earliest convenience

Respectfully submitted,

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